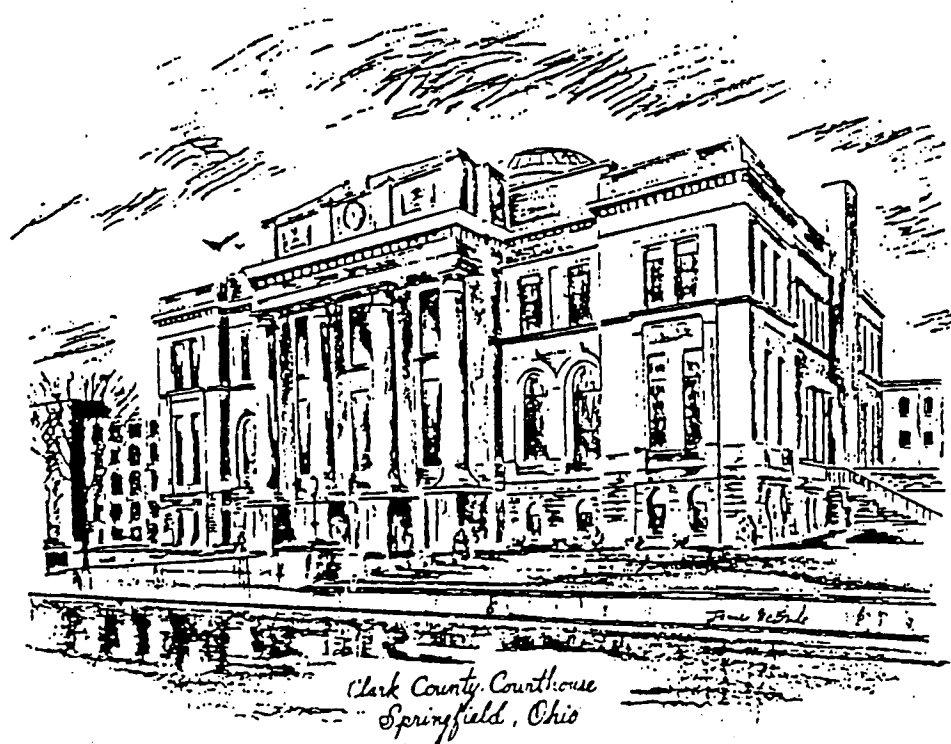


# **RULES OF COURT**

## **COURT OF COMMON PLEAS DOMESTIC RELATIONS DIVISION ADULT SECTION**

**CLARK COUNTY, OHIO**



## **CASE MANAGEMENT PLAN**

It is this Court's goal to ensure the prompt and fair disposition of litigation and to establish the general framework for the management of Domestic Relations cases. The Court will attempt to take control of incoming cases at the earliest possible time in order to avoid unnecessary delays; control the pace of litigation; target complex cases; and achieve better efficiency in dealing with cases promptly, expeditiously and effectively.

# **RULES OF PRACTICE**

## **COMMON PLEAS COURT OF CLARK COUNTY, OHIO**

### **DOMESTIC RELATIONS DIVISION ADULT SECTION**

IT IS HEREBY ORDERED that the following rules, being 24 in number, are adopted as the rules of practice and procedure in this Court in conjunction with and supplemental to the Rules of Civil Procedure and the Superintendence Rules promulgated by the Ohio Supreme Court for Courts of Common Pleas.

#### **PREFACE**

The following rules have been promulgated by the Court of Common Pleas of Clark County, Ohio, Domestic Relations Division, Adult Section, pursuant to Article IV, Section 5(B), Ohio Constitution, for the purpose of promoting the administration of justice by conforming this Court's rules to the Ohio Rules of Civil Procedure, the Superintendence Rules for Courts of Common Pleas and other rules promulgated by the Supreme Court of Ohio and for the purpose of providing for the efficient and expeditious management of business before this Court, having due regard to local practices and requirements. These rules, in their observance, are intended to accomplish this end.

Requests for alternations or amendments to these rules should be submitted, with explanation in writing, to the Court for consideration.

These rules are adopted and shall become effective on January 1, 2018.

THOMAS J. CAPPER  
JUDGE, DOMESTIC RELATIONS DIVISION

# **ORGANIZATION OF THE DOMESTIC RELATIONS DIVISION ADULT/JUVENILE SECTION**

## **JUDGE**

Judge Thomas J. Capper (937) 521-1753

Contact Karen Berner, Court Administrator, at (937-521-1753) to schedule any of these hearings with Judge Capper:

Contested Divorces without children  
Uncontested Divorces  
Post Decree Custody (Adult and Juvenile cases)  
Dissolutions  
Pro Se Dissolutions without children  
Motions to Impose Sentence  
Objections

## **MAGISTRATES**

Magistrate Katrine Lancaster (937) 521-1757  
Magistrate Patrick Phillips (937) 521-1760  
Magistrate Ann Ringler (937) 521-1760 or 521-1757

Contact Vanessa Bruce to schedule any of these hearings with the Magistrates at (937) 521-1760  
**OR** contact Kelly Hill at (937) 521-1757:

Temporary Orders  
Post Decree Motions/Contempts (with the exception of custody and visitation)  
Contested Divorces with children  
Pro Se Dissolutions with children  
CSEA hearings  
Civil/Stalking Protection Orders  
Post Decree Visitation issues  
Juvenile Paternity Complaints

## **COURT REPORTERS**

Holly Reedy – (937) 521-1756  
Jeanette Grinvalds – (937) 521-1755

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**RULES OF COURT  
CLARK COUNTY COURT OF COMMON PLEAS  
DIVISION OF DOMESTIC RELATIONS  
ADULT SECTION**

**PLEADINGS AND GENERAL PROVISIONS**

**Rule 1.**

All pleadings, motions and other filings shall comply in form and content with Title III of the Ohio Rules of Civil Procedure.

All pleadings must contain the names, address and dates of birth of both parties, as well as phone number(s) of any party not represented by counsel.

**ORIGINAL PLEADINGS AND MOTIONS**

**Rule 2.      Financial Disclosure Forms**

**Pro Se Filings (party Not Represented by Counsel)**

(A)    The Plaintiff shall file a completed Financial Disclosure Form with the Complaint for Divorce, Annulment or Legal Separation. This form shall be served upon the Defendant along with the Complaint.

The Defendant shall file a completed Financial Disclosure Form with the Answer. This form shall be served upon the Plaintiff along with the Answer.

(B)    Each Petitioner for a Dissolution shall file a completed Financial Disclosure Form with the Petition for Dissolution.

(C)    The filing of any Motion which concerns spousal support, child support, payment of expenses or any other financial issue shall be accompanied by a Financial Disclosure Form when appropriate.

The party responding to the Motion above shall file a Financial Disclosure Form not later than the hearing, if appropriate.

**Parties Represented by Counsel**

(D)    In all contested cases for divorce, annulment, or alimony only and on any Motion which concerns spousal support, child support, payment of expenses or any other financial issues, counsel for each party shall serve upon opposing counsel a Financial Disclosure Form. Said Form shall be served upon opposing counsel no later than the assigned pre-trial and no later than seven (7) days prior to the assigned hearing date of any Motion.



(E) Copies of the Financial Disclosure Form shall be provided to the Judge or Magistrate at the pre-trial hearing or the hearing on the Motion. Financial Disclosure Forms shall be amended (if appropriate) and re-submitted to the Judge or Magistrate at the time of a contested divorce, annulment, or alimony only hearing.

(F) Financial Disclosure Forms need not be filed in the Clerk's Office but a notice of submission may be filed with the Court.

### **Character and Effect of Financial Disclosure Information**

The Financial Disclosure Form shall be signed by the party filing or providing the same and shall be notarized.

The information contained in the Financial Disclosure Form shall be treated as though it were obtained in answer to questions propounded by the Court and shall be subject to inquiry.

The requirements set forth above relating to Financial Disclosure Forms may not be waived by the agreement of the parties.

### **Rule 3. Affidavit in Complaint with Section 3127.23 of the Ohio Revised Code**

All pleadings requesting sole or shared parenting shall be accompanied by an affidavit in compliance with Section 3127.23 of the Ohio Revised Code.

### **Rule 4. Child Support Calculation Sheets**

(A) All original filings for divorce, annulment, legal separation or dissolution shall be accompanied by a completed child support calculation sheet if minor children are involved.

If the income of a party is unknown, the attorney shall obtain that information by filing a subpoena duces tecum at the time the Complaint is filed and noting on the calculation sheet that a subpoena has been issued in lieu of the calculation.

All original filings that contain a request for a temporary orders hearing for the setting of child support shall contain the following language in the notice for hearing:

"Each party to the temporary orders hearing shall bring with them to the hearing Evidence of wages, salary bonuses and any other source of income they might have."

### **Rule 5. Health Care Orders**

The Court will not approve an Order that modifies a support or health insurance obligation except on good cause shown.

**Rule 6. Title IV-D Application (cases with children)**

The obligor of a child support order shall complete an application for IV-D services whenever a child support order is sought. The IV-D application shall be submitted contemporaneously with the Complaint for Divorce, Legal Separation, Petition for Dissolution or post-decree Motion, if applicable.

**Rule 7. Court costs**

The Clerk of Courts shall not accept a domestic relations action for filing unless is accompanied by a filing fee as established by the Court or an Affidavit of Indigency.

If during the course of the proceedings the Court learns that a party who filed an Affidavit of Indigency has become able to pay the costs, the Court may order the party to pay the costs within a reasonable period of time.

**Rule 8. Civil Protection Orders**

**(A) PLEADING**

An action seeking an ex parte Civil Protection Order may be initiated by filing a Petition requesting the Order. The pleading must set forth all information required by R.C. 3113.31. Any other case involving the Petitioner or Respondent pending in this or any other Court shall be disclosed in the Petition.

**(B) PROCEDURE**

(1) The Petition must first be filed with the Clerk of Courts. If custody of a minor child is sought, an affidavit of child custody information shall also be filed. If support is sought, an affidavit of financial disclosure shall also be filed.

(2) A time stamped copy of the Petition shall be presented to the Court for review at the ex parte hearing. Upon hearing, the Court may grant any relief authorized by R.C. 3113.31. The Court may require Respondent to post a bond to assure compliance with the Orders issued. The Court shall direct that a copy of its Orders be delivered to the Respondent on the same day that the Order is entered. All Orders issued at the ex parte hearing shall remain in effect until a full hearing is held.

(3) If a Protection Order is granted at the ex parte hearing, the Court shall order the case set for a full hearing. The full hearing shall be scheduled within seven (7) Court days of the ex parte hearing, if the Protection Order issued includes an Order described in R.C. 3113.31(C) (**CHECK THIS SECTION**) (granting possession of a residence). The full hearing shall be scheduled within ten (10) days after the ex parte hearing in all other cases. Failure of service or continuance of the full hearing for any other reason shall not affect the validity of the ex parte orders granted.

(4) After the ex parte hearing, and after the Petitioner has obtained a date and time for a full hearing from the Domestic Relations Assignment secretary, the Petitioner shall immediately present the Civil Protection Order to the Clerk of Courts for filing and journalization.

(5) Petitioner shall cause a copy of the Petition, all other documents filed with the Petition, the ex parte Orders, and a notice of the full hearing date to be served on any appropriate law enforcement agency that has jurisdiction to enforce the Orders pursuant to R.C. 3113.31.

### **(C) CONTEMPT**

(1) To initiate a contempt action under this rule, the Petitioner shall comply with the Civil and Local Rules pertaining to the filing of a Motion in Contempt.

(2) Attached to the Motion will be an affidavit from the Petitioner stating the conduct of the Respondent that is alleged to have violated the Order of the Court.

(3) If the Respondent has been charged for a criminal violation of the Court Order then the Petitioner will also attach a copy of the arrest report to the Motion.

(4) The Petitioner will prepare and submit to the Court for approval an Order to Appear for the Respondent that will be signed by a Judge, or Magistrate, of the Court and will accompany the Motion to be served upon the Respondent.

## **TEMPORARY ORDERS**

### **Rule 9.**

#### **(A) EX PARTE ORDERS**

Upon the filing of a Motion alleging the existence of an **emergency** situation supported by an affidavit and accompanied by a proposed Order, a Judge or Magistrate of the Domestic Relations Division may, at their discretion, issue any of the Orders under Rule 9, ex parte.

If an ex parte Order is issued, then the Movant, pursuant to Section (C) of Rule 9, shall obtain an oral hearing assignment and shall serve a *Notice of Temporary Orders hearing* along with a Motion upon the other party according to the Civil Rules.

EMERGENCY EX PARTE ORDERS WILL ONLY BE GRANTED AT THE JUDGE'S OR MAGISTRATE'S DISCRETION BASED UPON REAL EMERGENCIES.

#### **(B) RESTRAINING ORDERS**

How to Request: Ex parte temporary restraining orders may be requested by any party after the commencement of a divorce, annulment, legal separation case or upon reactivation of a

case by a post-decree Motion. Such requests should be made by separate Motion supported by affidavit.

Procedure: The party requesting the ex parte temporary restraining order will prepare the order which is to accompany the Motion and affidavit above.

Ex parte temporary restraining orders can only be signed by a Judge or Magistrate of the Domestic Relations Division and may be granted for the following purposes: (1) prohibiting family violence; (2) prohibiting removal of minor children from the state of Ohio; and (3) preventing dissipation of assets subject to the jurisdiction of the Court.

**Only the following language will be approved:**

(1) *Plaintiff and Defendant are hereby restraining from striking, abusing, harassing, stalking, threatening or injuring the other party.*

(2) *Plaintiff and Defendant are hereby restrained from removing the minor child(ren) from the state of Ohio.*

(3) *Plaintiff and Defendant are hereby restrained from damaging, moving, selling, giving away, transferring, withdrawing, disposing of, or encumbering any interest of either party in real property, personal property, funds, accounts, business interests, investments, or any other asset.*

(4) *Plaintiff and Defendant are hereby restrained from incurring any debt or making any credit card purchase on any account either in the other party's name or in the parties' joint names.*

(5) *Plaintiff and Defendant are hereby restrained from terminating, modifying, change the beneficiaries of any life, health, automobile, or any other insurance policy covering a party or a minor child of the parties.*

**Dissolving of Orders:**

A party against whom an ex parte temporary restraining order was issued may file a Motion, accompanied by an affidavit and proposed Order, requesting that the Order be dissolved. The Motion must state that the party making the request has attempted to negotiate an agreement with the other party as to the terms and conditions for dissolving the Orders and these efforts have failed. A Judge or Magistrate of the Domestic Relations Division may then grant the request, or set the matter for a hearing before a Magistrate in accordance with Rule 9 Section (C).

A Magistrate, at a hearing under Rule 9, Section (D) may, at the Magistrate's discretion, issue a temporary restraining order for good cause shown at the hearing.

**Rule 10. Temporary Orders for child support, spousal support, allocation of parental rights and responsibilities, exclusive use of premises, payment of debts and other matters.**

**(A) How to request:**

Temporary Orders may be requested by any party after the commencement of a divorce, annulment, or legal separation case, or upon the reactivation of a case by post-decree Motion. Such requests must be made by separate Motion support by affidavit.

**(B) Motion to vacate premises:**

A Motion to Vacate Premises may be granted if the Movant establishes the opposing party:

- (1) attempted to cause or recklessly caused bodily injury by acts of physical violence; or
- (2) placed the Movant, by threat of force, in fear of imminent serious physical harm; or
- (3) committed any act with respect to a child that would result in the child being an abused child as defined in O.R.C. 2151.031; or
- (4) engaged in conduct which causes or is likely to cause emotional and/or mental stress to the Movant and/or minor children of the parties; or
- (5) engaged in conduct which creates or is likely to create an environment that significantly endangers the Movant's and/or minor children's physical health or mental or emotional development; or
- (6) engaged in conduct abusive to the Movant and/or minor children whether by physical acts or verbally; or
- (7) has been voluntarily absent from the marital home for a period in excess of thirty (30) consecutive days; or
- (8) for other good cause demonstrated at the hearing.

**(C) Procedure:**

Motions seeking temporary relief under Rule 9 shall be heard by a Magistrate. The **moving party** will obtain a date and time for the oral hearing of such Motion from the **Domestic Relations Assignment Secretary** and shall serve the Motion and Notice of the assigned hearing upon the opposing party pursuant to the Civil Rules. Magistrate hearing shall be scheduled in fifteen (15) minute intervals and every effort will be made by the Court to schedule the hearing within fourteen (14) days of the request.

**(D) Modification of Orders:**

Either party may file a Motion, supported by affidavit, to modify a temporary order issued under this section if there has been a change of circumstances of either party since the date of the prior Order. The procedure under Section (C) should be followed when requesting a modification.

**(E)** A request under this section shall not suspend or delay the commencement of any temporary orders previously issued by the Court. Any modification ordered as a result of an oral hearing may be made retroaction to the effective date of the original order or to any other date, thereafter, as the Court deems just and appropriate.

**(F) Effective Date of Orders:**

A Magistrate's order pursuant to an oral hearing shall be effective upon the filing and shall not be immediately subject to stay upon the filing of Objections pursuant to Civil Rule 53(E)(2).

**(G)** When both parties agree to continue to reside together, then the Magistrate may, if found to be appropriate and in the best interest of the minor children, issue a temporary order designating both parties as residential parents with both parties sharing the rights and responsibilities regarding the children and payment of expenses in accordance with the established practice of the household.

**FINAL HEARINGS**

**Rule 11. Dissolutions**

Final hearings will be assigned before a Judge or Magistrate of the Domestic Relations Division – Adult Section or in their absence, a Judge assigned to hear the proceedings.

**A final hearing assignment must be obtained from the Domestic Relations Assignment Secretary at the time of filing.**

Failure of parties or counsel to appear at the assigned hearing may cause dismissal of the case except for continuances granted for good cause shown.

**Rule 12. Non-Contested Divorce Cases**

If, after service, a timely Answer is not filed by the Defendant, **an uncontested assignment may be obtained from the Domestic Relations Assignment Secretary. Upon the receipt of such assignment, counsel shall serve notice of the assigned hearing upon the opposing party pursuant to the Civil Rules.**

If, after service, a timely Answer is not filed by the Defendant **and counsel for Plaintiff has not obtained an assignment as an uncontested hearing as set forth above**, the Court will scheduled an uncontested hearing/pre-trial and notify both parties of the date and time of the hearing. **Failure of Plaintiff to appear on the date and time assigned may cause dismissal.**

### **Rule 13. Contested Divorce Cases**

#### **Pre-trial Conferences**

When an Answer to a Complaint is filed, **the attorney or party filing the Answer will obtain a date and time for a pre-trial conference from the Domestic Relations Assignment Secretary and shall serve the Motion and Notice of the assigned hearing upon the opposing party pursuant to the Civil Rules.** At the pre-trial conference, the Court will identify special needs of the parties, issues in controversy, establish a timetable for discovery and set the trial date. Attorneys shall have knowledge of their calendars at the pre-trial conference. Parties may be present.

Any request for the appointment of a Guardian Ad Litem must be submitted at or before the pre-trial conference. Thereafter, requests for the appointment of a Guardian Ad Litem will only be considered upon leave of Court for good cause shown.

All appointed Guardian Ad Litem shall be paid at the rate of \$50.00 per hour for out-of court-services and \$60.00 per hour for in-court services for all services and expenses approved by the Court.

#### **Final Hearings**

Final hearings shall begin promptly on the date assigned. Before the trial begins, each attorney shall provide the Court with the following:

- (1) An original and two sets of photocopies of all exhibits, pre-marked, with the Plaintiff using numbers and the Defendant using letters.
- (2) A list of the name and address of all witnesses.
- (3) A current Financial Disclosure Form.
- (4) All items set forth in the Court's Pre-Trial Order.

Hearings which cannot be completed in the time allotted shall be continued in progress to another date.

Any party who does not file an Answer or other pleading may attend the final hearing but shall address the Court and participate in the hearing only on application to the Court for leave to proceed.

## **Decrees and Judgment Entries**

The attorney for the Plaintiff shall prepare and file a Final Judgment Entry or Decree within thirty days of the decision of the Court. If opposing counsel neglects or refuses to endorse the Decree, the attorney for Plaintiff shall file a Motion to Compel the filing of the Decree within the thirty day period. The Motion shall contain the date, time and place of the hearing and shall be set before the Judge or Magistrate who heard the case.

All final Entries shall identify the Judge or Magistrate assigned to the case and the date the case was hearing.

## **Post Decree Motion Practice**

### **Rule 14. Post Decree Motions**

#### **(A) Assignment of Hearing**

The party filing a Motion shall first obtain a hearing date from the **Domestic Relations Assignment Secretary** and shall serve the **Motion and Notice of the assigned hearing upon the opposing party pursuant to the Civil Rules**. Magistrate's hearing shall be scheduled in 15 minute intervals. If more time is required, the Magistrate **may** schedule additional time for the hearing. Attorneys filing cross Motions which will require additional time shall request approval of the same from the Magistrate.

#### **(B) Content of Motions**

All pleadings must contain the names, addresses and dates of birth of both parties, as well as phone number(s) of any party not represented by counsel.

#### **(C) Motions to Modify**

All Motions to Modify prior Orders of the Court shall contain a statement of the Order sought to be modified, nature of the modification sought and the specific change in circumstances which justify modification. Motions to modify child support Orders shall be accompanied by completed child support calculation sheets.

#### **(D) Motions for Lump Sum Judgment**

All Motions for lump sum judgment shall contain a statement of the order upon which the Motion is based and a statement of the total amount due under the Order. If the Motion pertains to a child support or spousal support Order, CSEA records shall be presented at the hearing.



**(E) Motions for Interest on Arrearages**

Regarding child support Orders which were issued or modified on or after July 1, 1992, the court shall assess interest pursuant to law where the failure to pay is willful. The interest rate shall be that set by statute for judgments.

Interest shall be simple, not compound. Motions requesting an award shall be accompanied by an interest calculation.

**(F) Motions for Emancipation**

To provide for the emancipation of children at the Child Support Enforcement Agency, unless otherwise agreed to by the obligee and obligor, or otherwise determined by the CSEA, or Court the Court adopts the date of June 8 in the year the child graduates and reaches 18 years of age as the presumed date of emancipation.

The CSEA shall file a Motion with the Court stating an intention to emancipate and determine arrearages. The CSEA shall cause service of the Motion upon the obligor and obligee in compliance with the Civil and Local Rules.

If service to a party is undeliverable because the party failed to keep the CSEA advised of their current address, as required by law, the Court will proceed with the determination of emancipation and arrearages just as if the party were served and failed to appear, or respond. The Court reserves jurisdiction to amend the Order after a hearing should the party that was not served in the original Order file a Motion with the Court within a reasonable time requesting a modification.

**(G) Motions Regarding Health Care Expenses**

All Motions regarding payment of a reimbursement of medical expenses shall contain a chronological list of all bills for which payment is requested, the name and address of each health care provider, the date and nature of service, and the name of the person who received the services. The Motion shall state all amounts that have been paid by insurance companies, the balances remaining and the amount sought to be reimbursed or an explanation as to why that information is not available.

**(H) Motions in Contempt**

(1) All Motions requesting a finding in contempt shall contain a statement of the Court Order alleged to have been violated, and the facts constituting the violation. Motions for contempt for arrears in support shall contain a current CSEA statement of support payments.

(2) Upon a finding of contempt, the Court may award a standard attorney fee of \$200.00. If a higher award is sought, the attorney must request fees by Motion and present independent evidence regarding reasonableness.

**(I) Waiver of Mistake of Fact Hearings**

If, upon receipt of an Administrative Notice of increase or decrease in support, counsel determines that issues exist which merit a judicial hearing, counsel may waive the administrative mistake of fact hearing and request a judicial hearing.

The waiver and request shall be filed with the Clerk of Courts and a copy shall be served upon the Child Support Enforcement Agency and the opposing party. The Domestic Relations Administrator shall schedule the judicial hearing and shall notify the parties or their counsel of the date, place and time by ordinary mail.

**The Court may dismiss on its own Motion, any Motion which does not comport with the requirements of Rule 14.**

**Rule 15. Agreed Entries**

**(A) Pre-Decree Shared Parenting Agreements**

In all cases in which the parents agree upon shared parenting, counsel shall submit the Shared Parenting Plan, completed child support calculation sheets, an affidavit in compliance with O.R.C. 3127.23 and Decree of Shared Parenting to the Court. The Plan must include the following:

(1) The physical living arrangements for the children, and a statement that each parent shall be the residential parent when the children are in his or her care;

(2) The amount of child support to be paid and a statement as to whether or not the support order conforms to the schedule of support contained in O.R.C. 3113.215. If the Order deviates from the schedule, the Plan shall contain findings of fact as to why the scheduled amount would be unjust, inappropriate and not in the best interest of the children;

(3) A provision for medical and dental care, including an Order for maintenance of health insurance;

(4) A provision for decisions regarding school placement;

(5) A specific schedule of visitation or placement with each parent, including a statement as to the parent with whom the children shall be physically located during legal holidays, school holidays and other dates of special importance (O.R.C. 3109.04);

(6) If it is necessary for school or AFDC purposes, a designation of legal custodian;

(7) A provision allocating the rights of the parents to claim the children as tax exemptions;

(8) A provision that each parent file a Notice of Intent to Relocate form with the Court at least 30 days prior to changing address;

(9) A statement as to the continuing jurisdiction of the Court.

**(B) Post-Decree Agreed Modifications of Parental Rights and Responsibilities**

Parties who agree to a modification of their parental rights and responsibilities after the final Decree shall submit the Shared Parenting Plan, completed child support calculation sheets, an affidavit in compliance with O.R.C. 3127.23 and Decree of Shared Parenting to the Court.

Parties who agree to a modification of the designation of residential parentage after the Final Decree shall submit an Order to the Court which sets forth their agreement. The Order shall provide for support based upon a current child support calculation which shall accompany the Order.

The Court may refuse to approve agreements which are not in the best interest of the children.

**Rule 16. Objections to Orders or Decisions of Magistrates**

Persons filing Objections to Magistrate's Orders or Decisions shall obtain a hearing date from the **Domestic Relations Administrator**. All Objections shall contain a notice of the date, time and place of the hearing and **shall be served upon the opposing counsel or party pursuant to the Civil Rules**. Anyone objecting to a Magistrate's Order or Decision shall provide the Court with a transcript of the proceedings.

**A request for a transcript of proceedings shall be served directly upon the Court Reporter.**

All Magistrates' hearings shall be recorded.

Objection conferences (oral hearings) shall be assigned for 15 minutes sessions. **Parties who need additional time shall request the same only by prior approval of the Judge.** Parties need not be present for the Objection conference, but may attend **all recorded courtroom proceedings** if they so desire.

**Rule 17. Continuances**

Attorneys may request a continuance of a pre-trial conference, Objection hearing, Motion hearing, or final hearing by filing with the Court a written Motion and Entry. The Motion shall contain the reason for the continuance and a statement as to whether or not opposing counsel

concur in the request. The Motion shall be accompanied by an Entry containing a new assignment date obtained from the **Domestic Relations Assignment Secretary**. **New hearing dates for Objection hearings to Magistrate's Orders and Decisions or final contested hearings assigned before the Judge of the Domestic Relations Division-Adult Section must be obtained from the Domestic Relations Administrator.**

If the continuance is not opposed by opposing counsel, the Agreed Entry shall be signed by all counsel **and the Judge or Magistrate to whom the hearing is assigned.**

If opposing counsel does object to the continuance, the moving party shall set the Motion for Continuance for a hearing before the Judge or Magistrate assigned to the case. The Motion shall be presented to the Judge or Magistrate at least one week prior to the hearing date.

The Motion shall not be granted except for good cause shown.

No hearing shall be continued except by signed Entry of the Judge or Magistrate assigned to the case. If such an Entry has not been signed and **either party fails to appear for a scheduled hearing, the Court may dismiss the action or proceed with the hearing without the appearance of the absent party.**

#### **Rule 18.      Withdrawal of Counsel**

Attorneys seeking to withdraw from a case shall present a Motion and Entry to the Judge or Magistrate assigned to the case. The Motion shall state the reasons for withdrawal and the Entry must contain a certificate of service upon both opposing counsel and the withdrawing attorney's client.

In the absence of extraordinary circumstances, the Court may not warrant an attorney permission to withdraw within ten days of any scheduled hearing.

#### **Rule 19.      Scheduling and Conflicts**

Each attorney is responsible for his or her own calendar. Attorneys shall request adequate Court time for all hearings and shall avoid scheduling overlapping or conflicting hearings. Each attorney shall be aware of his or her appointment book at all pre-trial conferences and hearings.

When a docketed matter is settled or dismissed, the attorney shall notify the Domestic Relations Administrator immediately so that the Court time can be reassigned.

#### **Rule 20.      Emergency Assignments**

If a **substantial emergency** exists which requires a prompt Court intervention, counsel may request an emergency hearing time from the Judge or Magistrates. A Motion for an emergency hearing shall be accompanied by an affidavit setting out the nature of the emergency and the relief sought.

If the Motion is granted, the matter will be advanced on the Court docket.

**Rule 21.      Mandatory Language**

**(A)      When There are No Minor Children**

All Decrees, Final Orders, and Post-Decree Entries must contain the following, as applicable:

(1)      the names, addresses and dates of birth of both parties, as well as phone number(s) of any party not represented by counsel;

(2)      a finding of fact regarding the duration of the marriage or a specific waiver of such a finding;

(3)      findings of fact regarding the nature of all property distributed as separate or marital or a specific waiver of such a findings;

(4)      a statement as to whether or not spousal support is to be paid, findings of fact which support such an award, a clear statement of the term of the award, and a clear statement as to whether or not the Court will retain jurisdiction to modify the award. If spousal support is awarded, the Final Order or Decree shall provide that all payments shall be made to the CSEA by means of an appropriate deduction order and that any payment made directly to the payee shall be deemed a gift. If spousal support is awarded, the Order shall further provide that until such time as the deduction order takes effect, the payor shall discharge his or her obligation by making payments directly to the CSEA.

**(B)      When There are Minor Children**

When the parties have minor children, all Decrees, Final Orders, and Post-Decree Entries shall, in addition to the requirements above, contain the following, as applicable:

(1)      Either a statement of the allocation of parental rights and responsibilities which designates the residential parent and provides for a specific schedule of visitation with the non-residential parent, or a Shared Parenting Plan and a separate Decree of Shared Parenting.

(2)      The Court adopts a standard schedule of parenting time. The schedule is attached hereto as Exhibit B. Exhibit B is intended to be used when the parties cannot otherwise agree upon a specific schedule of parenting time.

A copy of Exhibit B shall be attached to each Order and Decree in which it is adopted as the schedule of the parties.

(3) A statement of the monthly child support obligation made payable in increments which coincide with the payor's pay periods. The Order shall state whether the support obligation conforms to the schedule of support contained in O.R.C. 3113.215.

If the Order deviates from the schedule, the Order shall contain findings of fact as to why the scheduled amount would be unjust, inappropriate, and not in the best interest of the child.

(4) Required Child Support Order Language (See Appendix)

(5) Health care for the minor children.

(a) Extraordinary medical expenses shall be defined as any uninsured medical expenses that are incurred for a child during a calendar year and that exceed one hundred dollars for that child during that calendar year.

(b) See Appendix.

(6) A provision that every parent shall send a Notice of Intent to Relocate to the Family Court at least thirty (30) days in advance of any change of his or her address.

(7) A provision that each parent shall have equal access to the children's school, day care center, medical, or educational records and extracurricular or recreational activities, or an Order limiting a parent's access to specific areas. Any Order limiting a parent's access shall contain specific findings of fact which support such limitation. The Order shall contain a notice to school and day care officials and to all keepers of records that their knowing failure to comply with the Order may be punishable as contempt of Court.

## **Rule 22.      Mediation and Counseling**

### **(A)      When mediation is ordered:**

At any time after service of summons in any action for Divorce, Legal Separation, Dissolution, Annulment or when a party files a post-decree Motion in which the allocation of parental rights and responsibilities is to be determined, the Court may order both parties to participate in a mediation and/or counseling which shall begin within fourteen (14) days of the date of the Order referring the parties. The Court may order either or both parties to deposit toward costs of the mediation or counseling.

### **(B)      Scope**

Only issues regarding the allocation of parental rights and responsibilities and family related issues involving the minor children may be mediated. No financial matter, including support, shall be subject of any mediation or counseling.

**(C) Procedure**

At the time that the Court orders the parties to participate in mediation or counseling, it shall issue an Order staying all proceedings involving the children except temporary support hearings. Referral shall be made to the Mediation Coordinator. The Mediation Coordinator shall advise the Court of a plan and shall report on its progress. Mediation shall be completed within 60 days of the referral. Upon the termination of mediation, the parties and mediator shall jointly file a Mediation Report pursuant to law

Any agreement reached during mediation shall not be binding upon the parties until approved by the Court. The Court shall consider the best interests of the children when allocating parental rights and responsibilities.

**(D) Costs**

The parties may agreed between themselves to apportion the costs of mediation or counseling. In the event that they cannot agree, the Court will apportion costs as appropriate.

All mediators to whom referrals are made must accept and apply the sliding scale for fees adopted by the Court.

**Rule 23. Electronic Transmission Filings**

In conformity with Civil Rule 5(E), and beginning April 1, 1995, pleadings and other papers may be filed with the Clerk by facsimile transmission; subject to the following provisions:

(A) A document filed by facsimile transmission shall be accepted as the original consistent with Civil Rule 5(E), if the person sending the document by facsimile transmission files with the Clerk of Courts the original document, together with any fees and costs, by the close of business on the fifth (5<sup>th</sup>) day after the date of transmission. Failure to so file the original and pay the fees and costs shall result in such document being stricken without motion; the document shall thereupon be deemed not filed.

(B) The person filing the document by facsimile shall provide therewith identification information on a cover page, including the caption of the document. The cover page shall indicate the number of pages included in the transmission.

(C) Subject to paragraph (A) above, all documents filed by facsimile shall be considered filed when the date and time have been stamped thereon by the Clerk of Courts. For the purposes of this section, the date and the time stamp produced by the Clerk's facsimile machine shall constitute the date and time stamp of the Clerk of Courts. All risks of transmission shall be borne by the sender.

(D) Fees for this service are as follows: \$2.00 per transmission plus \$0.25 per page for the first ten (10) pages; additional pages cost \$0.50 per page. Each transmission shall be limited to one (1) case.

(E) When the original document is filed, it shall contain in the caption or the top margin a statement that: *"This document was originally filed by facsimile on: (date)."*

**The Clerk assumes no new responsibilities or liabilities by virtue of this Local Rule.**

**Rule 24.      Educational Program for Parents**

The Court may require both parents involved in contested litigation involving the allocation of parental rights and responsibilities to attend and complete a parental education program designed to minimize any negative impact of their litigation upon their child(ren).



# APPENDIX

**STANDARD ORDER OF PARENTING TIME OF THE**  
**DOMESTIC RELATIONS COURT OF CLARK COUNTY, OHIO**

The following is the standard order of parenting time for the non-residential parent, unless the parties agree or the Court orders otherwise:

(1) Except as set forth below, the non-residential parent shall have parenting time every Wednesday from 5:30 p.m. until 8:30 p.m. and on alternate weekends from Friday at 6:00 p.m. to Sunday at 6:00 p.m., beginning on the first Friday following the filing date of the last court order regarding custody. The non-residential parent shall not receive Wednesday mid-week parenting time for the months of June and July each year.

The child(ren) and the residential parent have a duty to await the visiting parent for thirty (30) minutes past the visitation time. A parent more than thirty (30) minutes late shall forfeit that visitation period.

(2) The non-residential parent shall have parenting time from 9:00 a.m. to 9:00 p.m. on the following holidays in the left column in even years, and shall have parenting time from 9:00 a.m. to 9:00 p.m. in the right column in odd years:

January 1  
July 4  
Thanksgiving Day

Memorial Day  
Labor Day  
Martin Luther King Day  
Presidents Day

The first holiday visitation by the non-residential parent shall take place on the first holiday following the filing date of the last entry regarding custody.

If any holiday upon which a non-residential parent has the right to have parenting time according to the above schedule follows the weekend visitation of the non-residential parent, then the said non-residential parent shall be entitled to hold the child(ren) over until 9:00 p.m. of such holiday so that parenting time is continuous with the weekend visitation.

(3) The child(ren) shall spend Mother's Day/Father's Day with the appropriate parent from 9:00 a.m. until 6:00 p.m.

(4) The non-residential parent shall have parenting time on the child's birthday from 5:30 p.m. to 8:30 p.m.

(5) The child(ren) shall spend spring break with the non-residential parent from 6:00 p.m. the day school district in which the child resides recesses to 6:00 p.m. the day before school resumes during odd numbered years.

The non-residential parent shall have parenting time each summer from June 15 at 6:00 p.m. until June 30 at 6:00 p.m. and from July 15 at 6:00 p.m. until July 30 at 6:00 p.m. unless the parties agree otherwise in writing.

(6) Each year at Christmas time, the residential parent shall have the child(ren) on Christmas Day and the non-residential parent shall have the child(ren) from 1:00 p.m. to 9:00 p.m. on December 24.

The parties shall endeavor to split the week between Christmas and New Year's. In the event that the parties cannot mutually agree on such visitation, the non-residential parent shall have parenting time from 6:00 p.m. December 26 to 6:00 p.m. on January 1 in odd numbered years.

(7) The parent receiving the child(ren) will be responsible for the child(ren)'s transportation from the other parent unless otherwise ordered by the Court.

The foregoing rule replaces the prior Standard Order of Parenting Time and is hereby adopted and effective January 1, 2018.

## STATUTORY NOTICES

The following Notices are hereby incorporated into the Shared Parenting Plan or Separation Agreement or Judgment Entry and Decree of Divorce filed in the within matter and, by agreement of the parties are made an ORDER of the Court:

- I. RELOCATION NOTICE: Pursuant to RC 3109.051(G), the parties hereto are hereby notified as follows:

If the "residential parent" intends to move to a residence other than the residence specified in the parties' separation agreement or divorce decree, said "residential parent" shall file a notice of intent to relocate with this court. Except as provided in RC 3109.051(G)(2), (3), and (4), a copy of such notice shall be mailed by the court to the "nonresidential parent". Upon receipt of the notice, the court, on its own motion or the motion of the "nonresidential parent", may schedule a hearing with notice to both parties to determine whether it is in the best interest of the child or children to revise the visitation or parenting schedule for the child or children.

- II. RECORDS ACCESS NOTICE: Pursuant to RC 3109.051(H) and RC 3319.321(B)(5)(a), the parties hereto are hereby notified as follows:

Excepting as specifically modified or otherwise limited by the parties' separation agreement or divorce decree, and subject to RC 2301.35(G)(a) and RC 3319.321(F), the "nonresidential parent" is entitled to access, under the same terms and conditions as the "residential parent" to any record that is related to the child or children of the parties and to which any "residential parent" of the child legally is provided access, including school records. Any keeper of a record, public or private, who knowingly fails to comply with this order, is in contempt of court.

- III. DAY CARE CENTER ACCESS NOTICE: Pursuant to RC 3109.051(I), the parties hereby are hereby notified as follows:

Excepting as specifically modified or otherwise limited by court order, and in accordance with RC 5104.011, the "nonresidential parent" is entitled to access to any day care center that is or will be attended by the child or children with whom visitation is granted, to the same extent that h "residential parent" is granted access to the center.

- IV. SCHOOL ACTIVITIES NOTICE: Pursuant to RC 3109.051(J) the parties hereto are notified as follows:

Excepting as specifically modified or otherwise limited by the parties' separation agreement or divorce decree and subject to RC 3319.321, the "nonresidential parent" is entitled to access under the same terms and conditions as the "residential parent" to any student activity that is related to the child or children and to which the "residential parent" of the child legally is provided access.

## STANDARD SUPPORT AND HEALTH CARE LANGUAGE

### F. Important Child Support Orders and Information

Obligee must immediately notify and Obligor may notify the CSEA of any reason for which the support order should terminate. A willful failure to notify the CSEA as required is contempt of court. The following are reasons for termination of the Order:

- Child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis and the support order does not provide for the duty of support to continue past the age of majority
- Child stops attending an accredited high school on a full-time basis after attaining the age of majority
- Child's death
- Child's marriage
- Child's emancipation
- Child's enlistment in the Armed Services
- Child's deportation
- Change of legal custody of the child

All support payments must be made through the CSEA or the office of child support in the Ohio Department of Job and Family Services (Child Support Payment Central). Any payment of money not made through the CSEA will be presumed to be a gift, unless the payment is made to discharge an obligation other than support.

All support under this Order shall be withheld or deducted from the income or assets of the Obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the Obligee in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code.

The Obligor and/or Obligee required under this Order to provide private health insurance coverage for the child(ren) is also required to provide the other party within 30 days after the issuance of the

Order, the following:

- Information regarding the benefits, limitations, and exclusions of the health insurance coverage
- Copies of any insurance form necessary to receive reimbursement, payment, or other benefits under the coverage
- A copy of any necessary health insurance cards

The Health Plan Administrator that provides the private health insurance coverage for the child(ren) may continue making payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable private health insurance policy, contract, or plan.

The Obligor and/or Obligee required to provide private health insurance for the child(ren) must designate said child(ren) as dependents under any private health insurance policy, contract, or plan for which the person contracts.

The employer of the person required to provide private health insurance coverage is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the CSEA, upon written request, any necessary information regarding health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and the employer will otherwise comply with all orders and notices issued.

The employer of the person required to provide private health insurance coverage is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the CSEA, upon written request, any necessary information regarding health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and the employer will otherwise comply with all orders and notices issued.

If the person required to obtain private health insurance coverage for the child(ren) subject to this Support Order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the child(ren) in private health insurance coverage provided by the new employer.

Upon receipt of notice by the CSEA that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support computation worksheets in section 3119.022 or 3119.023 of the Revised Code, as applicable. The CSEA may change the financial obligations of the parties to pay child support in accordance with the terms of the court or administrative order and cash medical support without a hearing or additional notice to the parties.

An Obligor that is in arrears in the Obligor's child support obligation is subject to having any federal, state and/or local income tax refund to which the Obligor may be entitled forwarded to the CSEA for payment toward these arrears. Such refunds will continue to be forwarded to the CSEA for payment until all arrears owed are paid in full. If the Obligor is married and files a joint tax return, the Obligor's spouse may contact the CSEA about filing an "Injured Spouse" claim after the Obligor is notified by the Internal Revenue Service that the Obligor's refund is being forwarded to the CSEA.

Pursuant to section 3121.29 of the Revised Code, the parties are notified as follows:

**EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50.00 FOR A FIRST OFFENSE, \$100.00 FOR A SECOND OFFENSE, AND \$500.00 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER AND YOU WILLFULLY FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE SUBJECTED TO FINES OF UP TO \$1,000.00 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.**

**IF YOU ARE AN OBLIGOR AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTIONS AND DEDUCTIONS FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU AND TO SATISFY YOUR SUPPORT OBLIGATION.**

# COURT OF COMMON PLEAS

COUNTY, OHIO

Plaintiff/Petitioner

Case No.

Judge

v./and

Magistrate

Defendant/Petitioner/Respondent

**Instructions:** Check local court rules to determine when this form must be filed.

By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. If more space is needed, add additional pages.

## PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of

(Print Your Name)

### Check and complete ALL THAT APPLY:

1. ☐ I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
2. ☐ Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: ☐ Male ☐ Female

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

b. Child's Name: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's Name: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

3. Participation in custody case(s): (Check only one box.)

- ☐ I HAVE NOT participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.
- ☐ I HAVE participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

6. **Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)**

- ☐ **I DO NOT KNOW OF ANY PERSON(S)** not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.
- ☐ **I KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

b. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

c. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

**OATH**

(Do Not Sign Until Notary is Present)

I, (print name) \_\_\_\_\_, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

\_\_\_\_\_  
Your Signature

Sworn before me and signed in my presence this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



**COURT OF COMMON PLEAS  
COUNTY, OHIO**

_____ Plaintiff/Petitioner 1  v./and  _____ Defendant/Petitioner 2	Case No.  Judge  Magistrate	_____ _____ _____
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**Instructions:** Check local court rules to determine when this form must be filed.  
This affidavit is used to make complete disclosure of income, expenses and money owed. It is used to determine child and spousal support amounts. Do not leave any category blank. Write "none" where appropriate. If you do not know exact figures for any item, give your best estimate and put "EST." **If you need more space, add additional pages.**

**AFFIDAVIT OF INCOME AND EXPENSES**

Affidavit of \_\_\_\_\_  
(Print Your Name)

Date of marriage \_\_\_\_\_ Date of separation \_\_\_\_\_

**SECTION I - INCOME**

	Your Name	Spouse's Name
Employed	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Employer	_____	_____
Payroll address	_____	_____
Payroll city, state, zip	_____	_____
Scheduled paychecks per year	<input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 52	<input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 52

**A. YEARLY INCOME, OVERTIME, COMMISSIONS AND BONUSES FOR PAST THREE YEARS**

	Your Name	Spouse's Name
Base yearly income	\$ _____ 3 years ago	20 _____ \$ _____
	\$ _____ 2 years ago	20 _____ \$ _____
	\$ _____ Last year	20 _____ \$ _____
Yearly overtime, commissions and/or bonuses	\$ _____ 3 years ago	20 _____ \$ _____
	\$ _____ 2 years ago	20 _____ \$ _____
	\$ _____ Last year	20 _____ \$ _____

- a. Name of each child: \_\_\_\_\_
- b. Type of case: \_\_\_\_\_
- c. Court and State: \_\_\_\_\_
- d. Date and court order or judgment (if any): \_\_\_\_\_

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

4. **Information about other civil case(s) that could affect this case: (Check only one box.)**

- ☐ **I HAVE NO INFORMATION** about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.
- ☐ **I HAVE THE FOLLOWING INFORMATION** concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: \_\_\_\_\_
- b. Type of case: \_\_\_\_\_
- c. Court and State: \_\_\_\_\_
- d. Date and court order or judgment (if any): \_\_\_\_\_

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

5. **Information about criminal case(s):**

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What Crime?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

**B. COMPUTATION OF CURRENT INCOME**

	_____ Your Name _____	_____ Spouse's Name _____
Base yearly income	\$ _____	\$ _____
Average yearly overtime, commissions and/or bonuses over last 3 years (from part A)	\$ _____	\$ _____
Unemployment compensation	\$ _____	\$ _____
Disability benefits		
<input type="checkbox"/> Workers' Compensation		
<input type="checkbox"/> Social Security		
<input type="checkbox"/> Other: _____	\$ _____	\$ _____
Retirement benefits		
<input type="checkbox"/> Social Security		
<input type="checkbox"/> Other: _____	\$ _____	\$ _____
Spousal support received	\$ _____	\$ _____
Interest and dividend income (source)		
_____	\$ _____	\$ _____
Other income (type and source)		
_____	\$ _____	\$ _____
<b>TOTAL YEARLY INCOME</b>	<b>\$ _____</b>	<b>\$ _____</b>
Supplemental Security Income (SSI) or public assistance	\$ _____	\$ _____
Court-ordered child support that you receive for minor and/or dependent child(ren) not of the marriage or relationship	\$ _____	\$ _____

## SECTION II – CHILDREN AND HOUSEHOLD RESIDENTS

Minor and/or dependent child(ren) who are from this marriage or relationship:

Name	Date of birth	Living with
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In addition to the above children there is/are in your household:

\_\_\_\_\_ adult(s)  
\_\_\_\_\_ other minor and/or dependent child(ren).

## SECTION III – EXPENSES

List monthly expenses below for your present household.

### A. MONTHLY HOUSING EXPENSES

Rent or first mortgage (including taxes and insurance)	\$	_____
Real estate taxes (if not included above)	\$	_____
Real estate/homeowner's insurance (if not included above)	\$	_____
Second mortgage/equity line of credit	\$	_____
Utilities		
o Electric	\$	_____
o Gas, fuel oil, propane	\$	_____
o Water and sewer	\$	_____
o Telephone	\$	_____
o Trash collection	\$	_____
o Cable/satellite television	\$	_____
Cleaning, maintenance, repair	\$	_____
Lawn service, snow removal	\$	_____
Other: _____	\$	_____
_____	\$	_____
<b>TOTAL MONTHLY :</b>		<b>\$</b> _____

**B. OTHER MONTHLY LIVING EXPENSES**

**Food**

- ☐ Groceries (including food, paper, cleaning products, toiletries, other) \$ \_\_\_\_\_
- ☐ Restaurant \$ \_\_\_\_\_

**Transportation**

- ☐ Vehicle loans, leases \$ \_\_\_\_\_
- ☐ Vehicle maintenance (oil, repair, license) \$ \_\_\_\_\_
- ☐ Gasoline \$ \_\_\_\_\_
- ☐ Parking, public transportation \$ \_\_\_\_\_

**Clothing**

- ☐ Clothes (other than children's) \$ \_\_\_\_\_
- ☐ Dry cleaning, laundry \$ \_\_\_\_\_

**Personal grooming**

- ☐ Hair, nail care \$ \_\_\_\_\_
- ☐ Other \_\_\_\_\_ \$ \_\_\_\_\_

Cell phone \$ \_\_\_\_\_

Internet (if not included elsewhere) \$ \_\_\_\_\_

Other \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL MONTHLY \$ \_\_\_\_\_**

**C. MONTHLY CHILD-RELATED EXPENSES**

(for children of the marriage or relationship)

Work/education-related child care \$ \_\_\_\_\_

Other child care \$ \_\_\_\_\_

Unusual parenting time travel \$ \_\_\_\_\_

Special and unusual needs of child(ren) (not included elsewhere) \$ \_\_\_\_\_

Clothing \$ \_\_\_\_\_

School supplies \$ \_\_\_\_\_

Child(ren)'s allowances \$ \_\_\_\_\_

Extracurricular activities, lessons \$ \_\_\_\_\_

School lunches \$ \_\_\_\_\_

Other \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL MONTHLY \$ \_\_\_\_\_**

D. INSURANCE PREMIUMS

Life	\$	_____
Auto	\$	_____
Health	\$	_____
Disability	\$	_____
Renters/personal property (if not included in part A above)	\$	_____
Other _____	\$	_____
<b>TOTAL MONTHLY</b>		\$ _____

E. MONTHLY EDUCATION EXPENSES

Tuition		
o Self	\$	_____
o Child(ren)	\$	_____
Books, fees, other	\$	_____
College loan repayment	\$	_____
Other _____	\$	_____
_____	\$	_____
<b>TOTAL MONTHLY:</b>		\$ _____

F. MONTHLY HEALTH CARE EXPENSES  
(not covered by insurance)

Physicians	\$	_____
Dentists	\$	_____
Optometrists/opticians	\$	_____
Prescriptions	\$	_____
Other _____	\$	_____
_____	\$	_____
<b>TOTAL MONTHLY:</b>		\$ _____

G. MISCELLANEOUS MONTHLY EXPENSES

Extraordinary obligations for other minor/handicapped child(ren) (not stepchildren)	\$	_____
Child support for children who were not born of this marriage or relationship and were not adopted of this marriage	\$	_____
Spousal support paid to former spouse(s)	\$	_____
Subscriptions, books	\$	_____
Entertainment	\$	_____

Charitable contributions	\$	_____
Memberships (associations, clubs)	\$	_____
Travel, vacations	\$	_____
Pets	\$	_____
Gifts	\$	_____
Bankruptcy payments	\$	_____
Attorney fees	\$	_____
Required deductions from wages (excluding taxes, Social Security and Medicare) (type) _____	\$	_____
Additional taxes paid (not deducted from wages) (type) _____	\$	_____
Other _____	\$	_____
_____	\$	_____
<b>TOTAL MONTHLY:</b>		\$ _____

**H. MONTHLY INSTALLMENT PAYMENTS**

(Do not repeat expenses already listed.)

Examples: car, credit card, rent-to-own, cash advance payments

To whom paid	Purpose	Balance due	Monthly payment
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
<b>TOTAL MONTHLY:</b>		\$ _____	\$ _____

**GRAND TOTAL MONTHLY EXPENSES (Sum of A through H):** \$ \_\_\_\_\_

**OATH**

(Do not sign until notary is present.)

I, (print name) \_\_\_\_\_, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

\_\_\_\_\_  
Your Signature

Sworn before me and signed in my presence this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_



COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY, OHIO

\_\_\_\_\_  
Plaintiff/Petitioner 1

v./and

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

Magistrate \_\_\_\_\_

\_\_\_\_\_  
Respondent/Petitioner 2

**Instructions:** Check local court rules to determine when this form must be filed.

List ALL OF YOUR PROPERTY AND DEBTS, the property and debts of your spouse, and any joint property or debts. Do not leave any category blank. For each item, if none, put "NONE." If you do not know exact figures for any item, give your best estimate, and put "EST." If more space is needed, add additional pages.

**AFFIDAVIT OF PROPERTY**

Affidavit of \_\_\_\_\_

(Print Your Name)

**I. REAL ESTATE INTERESTS**

	<u>Address</u>	<u>Present Fair Market Value</u>	<u>Titled To</u>	<u>Mortgage Balance</u>	<u>Equity (as of date)</u>
1.	_____	\$ _____	<input type="checkbox"/> _____ Your Name	\$ _____	\$ _____
	_____		<input type="checkbox"/> _____ Spouse's Name		
	_____		<input checked="" type="checkbox"/> Both		
	_____		<input type="checkbox"/> _____		
2.	_____	\$ _____	<input type="checkbox"/> _____ Your Name	\$ _____	\$ _____
	_____		<input type="checkbox"/> _____ Spouse's Name		
	_____		<input type="checkbox"/> Both		

**TOTAL SECTION I: REAL ESTATE INTERESTS** \$ \_\_\_\_\_

## II. OTHER ASSETS

Category	Description (List who has possession)	Titled To	Value/Date of Value
<b>A. Vehicles and Other Certificate of Title Property</b>	(Include model and year of automobiles, trucks, motorcycles, boats, motors, motor homes, etc.)		
1.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input checked="" type="checkbox"/> Both	\$ _____
2.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
3.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
4.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
5.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
6.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
<b>B. Financial Accounts</b>	(Include checking, savings, CDs, POD accounts, money market accounts, etc.)		
1.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
2.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
3.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____
4.		<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Both	\$ _____

<u>Category</u>	<u>Description</u> (List who has possession) (Include profit-sharing, IRAs, 401k plans, etc.; Describe each type of plan)	<u>Titled To</u>	<u>Value/Date of Value</u>
<b>C. Pensions &amp; Retirement plans</b>		<input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
1. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
2. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
3. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
4. _____	_____	<input type="checkbox"/> Both	

<u>Category</u>	<u>Description</u> (List who has possession) (Type of ownership and number)	<u>Titled To</u>	<u>Value/Date of Value</u>
<b>D. Publicly Held Stocks, Bonds, Securities, &amp; Mutual Funds</b>		<input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
1. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
2. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
3. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
4. _____	_____	<input type="checkbox"/> Both	

<u>Category</u>	<u>Description</u> (List who has possession) (Type of ownership and number)	<u>Titled To</u>	<u>Value/Date of Value</u>
<b>E. Closely Held Stocks &amp; Other Business Interests and Name of Company</b>		<input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
1. _____	_____	<input type="checkbox"/> Both <input type="checkbox"/> _____ Your Name	\$ _____
		<input type="checkbox"/> _____ Spouse's Name	
2. _____	_____	<input type="checkbox"/> Both	

**F. Life Insurance Type  
(Term/Whole Life)**

(Any cash value or loans)

(Insured party  
& value upon death)

1.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
2.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
3.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
4.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____

CategoryDescriptionWho Has PossessionValue/Date of Value**G. Furniture & Appliances**

(Estimate value of those in your possession and value of those in your spouse's possession)

1.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
2.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
3.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
4.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____

**H. Safe Deposit Box**

(Give location and describe contents)

Titled To

1.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____
	_____	_____	<input type="checkbox"/> _____		_____
2.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
	_____	_____	<input type="checkbox"/> _____ Spouse's Name		_____
	_____	_____	<input type="checkbox"/> Both		_____

**I. Transfer of Assets**

**Explanation:** List the name and address of any person (other than creditors listed on your Affidavit) who has received money or property from you exceeding \$300 in value in the past 12 months and the reason for each transfer.

1.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
			<input type="checkbox"/> _____ Spouse's Name		
			<input type="checkbox"/> Both		_____
			<input type="checkbox"/> _____ Your Name	\$	_____
			<input type="checkbox"/> _____ Spouse's Name		
2.	_____	_____	<input type="checkbox"/> Both		_____
			<input type="checkbox"/> _____ Your Name	\$	_____
			<input type="checkbox"/> _____ Spouse's Name		
3.	_____	_____	<input type="checkbox"/> Both		_____
			<input type="checkbox"/> _____ Your Name	\$	_____
			<input type="checkbox"/> _____ Spouse's Name		
4.	_____	_____	<input type="checkbox"/> Both		_____

CategoryDescription

(Also list who has possession)

Titled ToValue/Date of Value**J. All Other Assets Not Listed Above**

**Explanation:** List any item you have not listed above that is considered an asset.

1.	_____	_____	<input type="checkbox"/> _____ Your Name	\$	_____
			<input type="checkbox"/> _____ Spouse's Name		
			<input type="checkbox"/> Both		_____
			<input type="checkbox"/> _____ Your Name	\$	_____
			<input type="checkbox"/> _____ Spouse's Name		
2.	_____	_____	<input type="checkbox"/> Both		_____

**TOTAL SECTION II: OTHER ASSETS** \$ \_\_\_\_\_**III. SEPARATE PROPERTY CLAIMS: Pre-marital assets, gifts to one spouse only, inheritances**

If you are making any claims in any of the categories below, explain the nature and amount of your claim. This includes, but is not limited to, inheritances, property owned before marriage, and any pre-marital agreements.

<u>Category</u> (Pre-marital Gift, Inheritance, etc., acquired after separation)	<u>Description</u>	<u>Why do you claim this as a separate property?</u>	<u>Present Fair Market Value</u>
1. _____	_____	_____	\$ _____
2. _____	_____	_____	\$ _____
3. _____	_____	_____	\$ _____
4. _____	_____	_____	\$ _____
5. _____	_____	_____	\$ _____

**TOTAL SECTION III: SEPARATE PROPERTY CLAIMS** \$ \_\_\_\_\_

#### IV. DEBT

List ALL OF YOUR DEBTS, the debts of your spouse, and any joint debts. Do not leave any category blank. For each item, if none, put "NONE." If you don't know exact figures for any item, give your best estimate, and put "EST." If more space is needed to explain, please attach an additional page with the explanation and identify which question you are answering.

Type	Name of Creditor/Purpose of Debt	Account Name	Name(s) on Account	Total Debt Due	Monthly Payment
<b>A. Secured Debt (Mortgages, Car, etc.)</b>					
1.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
2.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
3.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
4.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
5.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
<b>B. Unsecured Debt, including credit cards</b>					
1.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
2.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$
3.			<input type="checkbox"/> Your Name <input type="checkbox"/> Spouse's Name <input type="checkbox"/> Joint	\$	\$

_____	_____	_____	<input type="checkbox"/>	_____	_____	_____
				Your Name		
			<input type="checkbox"/>	_____		
				Spouse's Name		
4.	_____	_____	<input type="checkbox"/>	Joint	\$ _____	\$ _____
			<input type="checkbox"/>	_____		
				Your Name		
			<input type="checkbox"/>	_____		
				Spouse's Name		
5.	_____	_____	<input type="checkbox"/>	Joint	\$ _____	\$ _____

**TOTAL SECTION IV: DEBT** \$ \_\_\_\_\_

**V. BANKRUPTCY**

Filed by:

☐ \_\_\_\_\_  
Your Name

☐ \_\_\_\_\_  
Spouse's Name

☐ Both

Date of Filing:  
Case Number

Date of Discharge  
or Relief from Stay

Type of Case  
(Ch. 7, 11, 12, 13)

Current Monthly  
Payments

1.	<input type="checkbox"/>	_____	_____	_____	_____	_____
		Your Name				
	<input type="checkbox"/>	_____				
		Spouse's Name				
	<input type="checkbox"/>	Both				
2.	<input type="checkbox"/>	_____	_____	_____	\$ _____	
		Your Name				
	<input type="checkbox"/>	_____				
		Spouse's Name				
	<input type="checkbox"/>	Both			\$ _____	

**TOTAL SECTION V: BANKRUPTCY** \$ \_\_\_\_\_

**OATH**

(Do Not Sign Until Notary is Present)

I, (print name) \_\_\_\_\_ swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

\_\_\_\_\_  
Your Signature

Sworn before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**COURT OF COMMON PLEAS**  
\_\_\_\_\_ **COUNTY, OHIO**

\_\_\_\_\_  
Plaintiff/Petitioner 1

v./and

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

Magistrate \_\_\_\_\_

\_\_\_\_\_  
Defendant/Petitioner 2

**Instructions:** Check local court rules to determine when this form must be filed.

This affidavit is used to disclose health insurance coverage that is available for children. It is also used to determine child support. It must be filed if there are minor children of the relationship. **If more space is needed, add additional pages.**

**HEALTH INSURANCE AFFIDAVIT**

Affidavit of \_\_\_\_\_

(Print Your Name)

\_\_\_\_\_ **Your Name**

\_\_\_\_\_ **Spouse's Name**

Are your child(ren) currently enrolled in a low-income government-assisted health care program (Healthy Start/Medicaid)?

☐ Yes ☐ No

☐ Yes ☐ No

Are you enrolled in an individual (non-group or COBRA) health insurance plan?

☐ Yes ☐ No

☐ Yes ☐ No

Are you enrolled in a health insurance plan through a group (employer or other organization)?

☐ Yes ☐ No

☐ Yes ☐ No

If you are not enrolled, do you have health insurance available through a group (employer or other organization)?

☐ Yes ☐ No

☐ Yes ☐ No

Does the available insurance cover primary care services within 30 miles of the child(ren)'s home?

☐ Yes ☐ No

☐ Yes ☐ No



\_\_\_\_\_ Your Name \_\_\_\_\_ Spouse's Name

Under the available insurance, what would be the annual premium for a plan covering you and the child(ren) of this relationship (not including a spouse)?

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Under the available insurance, what would be the annual premium for a plan covering you alone (not including children or spouse)?

\$ \_\_\_\_\_

\$ \_\_\_\_\_

If you are enrolled in a health insurance plan through a group (employer or other organization) or individual insurance plan, which of the following people is/are covered:

Yourself?

☐ Yes ☐ No

☐ Yes ☐ No

Your spouse?

☐ Yes ☐ No

☐ Yes ☐ No

Minor child(ren) of this relationship?

☐ Yes ☐ No

☐ Yes ☐ No

Number \_\_\_\_\_

Number \_\_\_\_\_

Other individuals?

☐ Yes ☐ No

☐ Yes ☐ No

Number \_\_\_\_\_

Number \_\_\_\_\_

Name of group (employer or organization) that provides health insurance

Address

Phone number

#### OATH

(Do not sign until notary is present.)

I, (print name) \_\_\_\_\_, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate, and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

\_\_\_\_\_  
Your Signature

Sworn before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

**Instructions:** This form is used to bring the other party to Court to defend his/her failure to follow the court order. A Motion for Contempt and Affidavit (Uniform Domestic Relations Form 21) must be filed with this order.

**SHOW CAUSE ORDER, NOTICE AND INSTRUCTIONS TO THE CLERK**

TO: \_\_\_\_\_  
PLAINTIFF/PETITIONER

TO: \_\_\_\_\_  
DEFENDANT/PETITIONER

You are hereby ORDERED to appear and show cause why you should not be held in contempt for failure to obey the court order as described in the Motion you are now receiving.

## COURT

(The Court will complete this part.)

You are ORDERED to appear in the \_\_\_\_\_ County Common Pleas Court  
\_\_\_\_\_ Division, in Courtroom \_\_\_\_\_ located at \_\_\_\_\_

on \_\_\_\_\_ at \_\_\_\_\_ o'clock and show cause why you  
should not be held in contempt of this Court.

## NOTICE

1. Failure to appear as ordered may result in the issuance of a bench warrant for an immediate arrest.
2. Failure to appear may result in an immediate income withholding or deduction.
3. You have the right to be represented by an attorney.
4. If you cannot afford an attorney, you must apply for a public defender or appointed counsel, as appropriate, within three business days after receipt of this show cause order.
5. A continuance may not be granted to obtain counsel if you have made no good faith effort to secure one.
6. If found guilty, you may be sentenced as follows:
  - a. First offense – a fine of not more than \$250.00 and/or a definite term of imprisonment of not more than thirty days in jail or both.
  - b. Second offense – a fine of not more than \$500.00 and/or a definite term of imprisonment of not more than sixty days in jail or both.
  - c. Third offense – a fine of not more than \$1,000.00 and/or a definite term of imprisonment of not more than ninety days in jail or both.
7. The court may grant you limited driving privileges under 4510.021 of the Revised Code if your driver's license was suspended based on a notice issued by a child support enforcement agency because you are in default under a child support order or you have failed to comply with a subpoena or warrant issued by a court or agency with respect to a proceeding to enforce a child support order. You must request limited driving privileges and your request must be accompanied by a recent copy of your driver's abstract driving record from the registrar of motor vehicles.

\_\_\_\_\_  
JUDGE/MAGISTRATE

### INSTRUCTIONS TO THE CLERK

You are directed to serve this Order along with the Motion for Contempt and Affidavit to the

☐ Defendant/Petitioner or ☐ Plaintiff/Petitioner by:

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of \_\_\_\_\_ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) \_\_\_\_\_

\_\_\_\_\_  
Your Signature

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

**Instructions:** This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

☐ Defendant/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of \_\_\_\_\_ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) \_\_\_\_\_

Supreme Court of Ohio

Uniform Domestic Relations Form – 28

Uniform Juvenile Form – 10

REQUEST FOR SERVICE

Approved under Ohio Civil Rule 84 and Ohio Juvenile Rule 46

Effective Date: 7/1/2013

☐ Plaintiff/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of \_\_\_\_\_ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) \_\_\_\_\_

☐ \_\_\_\_\_ County Child Support Enforcement Agency (provide address below):

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of \_\_\_\_\_ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) \_\_\_\_\_

☐ Other (address): \_\_\_\_\_

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of \_\_\_\_\_ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) \_\_\_\_\_

SPECIAL INSTRUCTIONS TO SHERIFF:

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\_\_\_\_\_  
Your Signature

CSEA

**APPLICATION FOR CHILD SUPPORT SERVICES  
NON-PUBLIC ASSISTANCE APPLICANT/RECIPIENT**

IMPORTANT: If you are receiving ADC or Medicaid, do not complete this application because you became eligible for child support services when you signed the ADC/Medicaid application.

I, [REDACTED] request child support services from the CLARK COUNTY CSEA (Child Support Enforcement Agency). I understand and agree to the following:

- A. I am a resident of the county in which services are requested and no other Ohio county has jurisdiction over support – OR – I am requesting services from the Ohio county of jurisdiction.
- B. The only fee that can be charged for services is a one dollar application fee. Some counties pay this fee for the applicants.
- C. Recipients of child support services shall cooperate to the best of their ability with the CSEA. (See attached rights and responsibility information).
- D. In providing IV-D services, the CSEA and any of its contracted agents (e.g., prosecutors, attorneys, hearing officers, etc.) represent the best interest of the children of the state of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

The Child Support Enforcement Agency can assist you in providing the following services:

- 1. **Location of Absent Parents.**  
The agency can assist in finding where an absent parent is currently living, in what city, town, or state. The applicant can request 'Location Only Services', if the sole need is to find the whereabouts of the absent parent.
- 2. **Establishment or Adjustment of Child Support and Medical Support.**  
The CSEA can assist you to obtain an order for support if you are separated, have been deserted, or need to establish paternity (fatherhood). The CSEA can also assist you in changing the amount of support orders (adjustment), and to establish a medical support order.
- 3. **Enforcement of Existing Orders.**  
The CSEA can help you collect current and past-due child support.
- 4. **Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.**  
The agency can collect past-due support (arrearages) by intercepting a payor's federal and state income tax refunds in some cases.
- 5. **Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.**  
The agency can help you get payroll deductions for current and past-due child support and can intercept unemployment compensation to collect child support.
- 6. **Establishment of Paternity.**  
The agency can obtain an order for the establishment of paternity (fatherhood), if you were not married to the father of the child. An absent parent may request paternity services.
- 7. **Collection and Disbursement of Payments.**  
The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Past-due support collected will be paid to you until all of the past-due support you are owed is paid.
- 8. **Interstate Collection of Child Support.**  
The agency can assist you in collecting support if the payor is living in another state or in some foreign countries.

## APPLICANT INFORMATION

Name:		Date of Birth:	
Home Address:		Mailing Address:	
Home Phone #:			
Social Security #:		Sex:	
Race:		<input type="checkbox"/> Single	<input type="checkbox"/> Married
Relationship to Children:		<input type="checkbox"/> Divorced	<input type="checkbox"/> Separated
Military Service		Ever been on	
(Branch, Dates):		Public Assistance?	
		(When and Where)	

## EMPLOYER INFORMATION

Employer Name:		Employer Phone #:	
Employer		Is Medical Insurance Available?	
Address:			

	CHILD 1	CHILD 2	CHILD 3
Name:			
Sex:			
Race:			
Social Security #:			
Date of Birth:			
Home Address:			



Location of Birth: (Country, State, City)			
Has Paternity (Fatherhood) been Established?			
Name(s) of Absent Parent(s):			
Is there an Order for Support?			
Is the Child covered by Medical Insurance?			

## ABSENT PARENT INFORMATION

	PARENT 1	PARENT 2	PARENT 3
Name (and alias):			
Home Address:			
Mailing Address:			
Social Security #:			
Date of Birth:			
Location of Birth (Country, State, City):			
Race:			
Sex:			
Height / Weight:			
Hair / Eye Color:			
Identifying Marks (Tattoos, scars, etc.):			
Names of Children:			
Name and Address of Employer:			

Employer Phone #:

Medical Insurance  
Provided?

Support Order #:

Date of Support Order:

Amount of Support:

\$

\$

\$

Order Frequency:

Per

Per

Per

Location where Order  
was issued:Military Service  
(Branch, Dates):Ever Incarcerated?  
(Location, Dates):Arrest Record  
(Location, Dates):Name, Address  
Current Spouse:

Father's Name:

Mother's Name  
(Maiden):Ever been on  
Public Assistance?  
(Location, Dates)

Type(s) of Service(s) Requested:

- ☐ All services listed
- ☐ Location of absent parent only
- ☐ Other (please explain)

I understand that the Child Support Agency within 20 days of receiving this application will contact me by a written notice to inform me if my case has been accepted for child support services (IV-D Services).

Signature of Applicant:

Date: